

## NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

**AGENCY:** Department of Marine Resources

**STATUTORY AUTHORITY:** 12 M.R.S.A. Sections 6172 and 6192

**RULE REPEAL AND PROMULGATION:** DMR Regulation 95.09 J3, Closed Area No. 53-G, Smith Cove and Privy Point, Narraguagus Bay, Milbridge; promulgated on May 18, 2000, is repealed and replaced with the following rule:

**TEXT OF RULE:** 95.09 J3, Closed Area No. 53-G, Smith Cove, Narraguagus Bay, Milbridge.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of Smith Cove, Milbridge, located inside and westerly of a line drawn from a red painted post on the northern shore of Stover Cove running due east to the lowest tide line, then running northerly along said tide line approximately 480 yards to a point due north of an unnamed point 50 yards east of the pound, then due south to a red painted metal pipe drilled into the rock of said point..

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

**EFFECTIVE DATE:** September 5, 2001

**AGENCY CONTACT PERSON:** Amy Fitzpatrick  
Department of Marine Resources  
McKown Point  
West Boothbay, ME 04575

**BANGOR DAILY NEWS**  
September 9, 2001

### STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.09 J3, Closed Area No. 53-G, Smith Cove and Privy Point, Narraguagus Bay, Milbridge; promulgated on May 18, 2000, and replaces it with a new regulation which decreases the size of the shellfish closure.

Department personnel have surveyed the area south of Privy Point and determined that past pollution threats no longer exist.



GILBERT M. BILODEAU, Administrative Officer for  
George Lapointe, Commissioner, as authorized by 12  
MRSA Section 6023



# Department of Marine Resources

Legal Notice of Shellfish Closure Area

53G, Stover Cove and Privy Point, Milbridge. September 5, 2001

Milbridge

*Wyman Road*

*Smith  
Cove*

Lobster  
Pound

C53G

*Stover Cove*

Privy Point



250 0 250 500 750 1000 Yards

